

## REMARKS

Claim 1 has been rejected as anticipated by Smyrl USP 3,913,675. The Examiner relies on ball 36 dropped on seat 20 and associated parts of the specification in column 2 lines 55-68 for the proposition that the setting force applied to seated ball 36 on seat 20 is not affected by downhole pressure below. This is simply not the case because the seat 20 is blown out in Figure 3. Thus a very low pressure below seat 20 will in fact limit the amount of pressure that can be applied to seated ball 36 on seat 20.

The specification in the present application on page 5 paragraph 22 lines 4-7 where it states that the ball need not be blown through the seat and hence low pressures below the seated ball do not limit the amount of pressure that can be put onto the seated ball. Clearly a low pressure below a seat that ultimately gets blown out reduces the necessary pressure on the seated ball to make that happen. This means that the packer may not have enough applied pressure to set before the seat gets blown out.

Claim 1 has been amended to change the word positioning to the word fixing. This change makes it clear that the way the seat is mounted makes the seated object immune from downhole pressure conditions. It is felt that use of fixing is more accurate than use of positioning in that context to clearly convey the intended meaning and should assist the Examiner in readily appreciating the difference between the claimed method and the cited reference.

The Hill Jr. reference US 2002/0195253 has the same issue with regard to claim 1. It features a seat 90 on a shifting sleeve 91 that shifts after pressure is placed on the seated ball 92 to set the packer 22. This is clearly described in paragraphs 39 and 49. Here again the presence of low formation pressure below the seated ball 92 will encourage sleeve 91 to shift prematurely before the packer and its slips are fully set. The method of claim 1 takes the pressure below out of the picture so that the needed pressure to set the packer will be known to be available. Premature pressure release caused by low pressure below the ball is eliminated when the seat is fixed, which does not happen in the Hill Jr. reference.

With regard to claim 5, it is clear that the Examiner cited no support in the reference for maintaining the crossover in position after depositing gravel for the

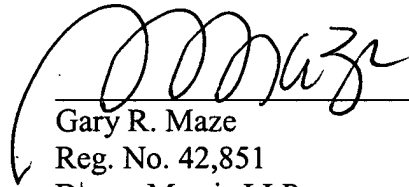
reversing step that comes after it. In fact paragraph 56 that is cited by the Examiner mentions a 4<sup>th</sup> position of the crossover after deposition to do the reversing out.

Claim 5 requires the second position to be maintained after deposition and still requires a reversing out with no crossover movement. This reference in the very paragraph 56 cited by the Examiner simply doesn't do this.

All the rejected claims are submitted to be in allowable condition.

Respectfully submitted,

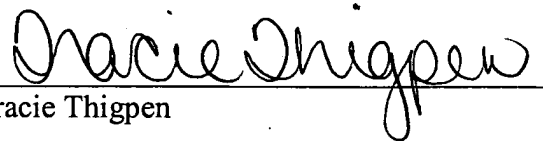
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